

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GUSTAVO CLEMENTE, *individually and on
behalf of others similarly situated*, et al.

Plaintiffs,

-against-

S & W SUPERMARKET, INC. et al.,

Defendants.

1:19-cv-9426 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of: (1) a letter from the parties, dated March 11, 2020, informing the Court that the parties engaged in mediation but were unable to reach a settlement and that Plaintiffs intended to file an amended pleading [ECF #20]; (2) Plaintiffs' First Amended Complaint [ECF #22]; and (3) Defendants' Answer [ECF #24]. Accordingly, IT IS HEREBY ORDERED that, by May 4, 2020, the parties shall submit a joint status letter and Proposed Case Management Plan, as required by this Court's Individual Rules of Practice. The Court will determine whether to conduct an Initial Pretrial Conference via telephone or issue a Scheduling Order on the basis of these documents.

The documents should be filed on ECF and sent to this Court via email (in both PDF and Microsoft Word formats). The status letter may not exceed 6 pages and must include the following:

1. A brief statement of the nature of the case, the principal claims and defenses, and the major legal and factual issues that are most important to resolving the case;
2. A brief statement by the plaintiff, or by the defendant in removed cases, as to the basis of subject matter jurisdiction and venue, and a brief statement by each other party as to the presence or absence of subject matter jurisdiction and venue.

Statements shall include citations to relevant statutes. In cases invoking the Court's diversity jurisdiction, the parties should state both the place of incorporation and the principal place of business of any party that is a corporation, and the citizenship of all members, shareholders, partners, and/or trustees of any party that is a partnership, limited partnership, limited liability company, or trust;

3. A statement of procedural posture, including

- a. A brief description of any (i) motions that have been made and decided, (ii) motions that any party seeks or intends to file, including the principal legal and other grounds in support of and opposition to the motion, (iii) pending motions and (iv) other applications that are expected to be made at the conference;
- b. A brief description of any discovery that has already taken place, and a brief description of any discovery that the parties intend to take in the future; and
- c. A statement describing the status of any settlement discussions and whether the parties would like a settlement conference; and

4. Any other information the parties believe may assist the Court in resolving the action.

Any request for an extension shall be made by letter filed on ECF and must be received at least 48 hours before the filing deadline.

SO ORDERED.

Date: April 2, 2020
New York, NY


MARY KAY VYSKOCIL
United States District Judge